

House Bill 420

By: Representatives Day of the 163rd, Stephens of the 164th, Bryant of the 160th, Carter of the 159th, Stephens of the 161st, and others

A BILL TO BE ENTITLED

AN ACT

To amend Chapter 3 of Title 30 of the Official Code of Georgia Annotated, relating to access to and use of public facilities by persons with disabilities, so as to require that sport shooting ranges are accessible to persons in wheelchairs; to clarify definitions so as to include sport shooting ranges as a facility required to be accessible to persons in wheelchairs; to provide for legislative findings; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The General Assembly finds and determines that:

- (1) The Second Amendment to the United States Constitution guarantees to all persons the right to keep and bear arms and that this right shall not be infringed;
- (2) The right to possess weapons should be protected in a manner that treats all persons equally, including persons with physical disabilities;
- (3) Twenty percent of the population is estimated to have a disability of some degree;
- (4) In order for persons with disabilities to be able to fully exercise their right to bear arms, sport shooting ranges should not be permitted to discriminate against persons with physical limitations where such persons are otherwise able to safely and lawfully carry a firearm; and
- (5) Equal access to sport shooting ranges by persons who are wheelchair bound offers such disabled persons physical exercise options, enables them to protect themselves, and otherwise provides an opportunity for disabled persons to increase their quality of life.

SECTION 2.

Chapter 3 of Title 30 of the Official Code of Georgia Annotated, relating to access to and use of public facilities by persons with disabilities, is amended by revising paragraph (6) of Code

25 Section 30-3-2, relating to definitions pertaining to access to and use of public facilities by
26 persons with disabilities, as follows:

27 "(6) 'Facilities' shall include, but is not limited to, walkways, sidewalks, curbing,
28 parking lots, parks, sport shooting ranges, stadiums, coliseums, and any other manmade
29 or developed area used by the public."

30 **SECTION 3.**

31 Said chapter is further amended by adding a new Code section to read as follows:

32 "30-3-6.1.

33 On and after July 1, 2009, no county, municipal, or other local government entity shall
34 issue, grant, or renew a business license or operating permit to a sport shooting range or
35 owner or operator of a sport shooting range that fails to make such facility accessible to
36 persons in wheelchairs."

37 **SECTION 4.**

38 This Act shall become effective on July 1, 2009, and shall apply to violations occurring on
39 or after such date.

40 **SECTION 5.**

41 All laws and parts of laws in conflict with this Act are repealed.